

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER FERREIRAS,)	
)	
Plaintiff,)	2:20-cv-1686
)	
v.)	
)	Judge Marilyn J. Horan
CHCA NEDRA RICE-GREGO, et al.)	Magistrate Judge Lisa Pupo Lenihan
)	
Defendants.)	
)	

ORDER OF THE COURT

This case was originally referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(A) and (B), and Rule 72 for the Local Rules for Magistrate Judges. On June 3, 2021, the Magistrate Judge issued a Report and Recommendation. ECF No. 30. Plaintiff timely filed Objections indicating that he had no objections to the Report and Recommendation. ECF. No. 35.

Accordingly, the following order is entered:

AND NOW, this 20th day of July 2021, it is hereby ORDERED as follows:

The Magistrate Judge's Report and Recommendation, ECF No. 30, dated June 7, 2021, is adopted as the Opinion of the Court.

1. The Motion to Dismiss filed by Medical Defendants Rachel Medlock and Darla Cowden (ECF No. 8) is GRANTED. Plaintiff's ADA claims asserted against Medical Defendants Medlock and Cowden in their individual capacities are dismissed with prejudice. All other claims asserted against the Medical Defendants Medlock and Cowden are dismissed without prejudice. Plaintiff is granted leave to amend said claims against Medical Defendants Medlock and Cowan consistent with the Report and Recommendation adopted by this Court.

2. The Motion to Dismiss filed by the Department of Corrections' Defendants (ECF No. 10) is GRANTED in part and DENIED in part. The Motion is denied as to Plaintiff's ADA claims asserted against the DOC Defendants in their official capacities. The Motion is granted as to all other claims asserted against the DOC Defendants in their official capacities. Said claims are dismissed with prejudice. The Motion is granted as to all claims asserted against the DOC Defendants in their individual capacities. Plaintiff is granted leave to amend his claims against the DOC Defendants in their individual capacities consistent with the Report and Recommendation adopted by this Court.

This matter is referred back to the Magistrate Judge for further proceedings.

s/Marilyn J. Horan
Marilyn J. Horan
United States District Judge

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